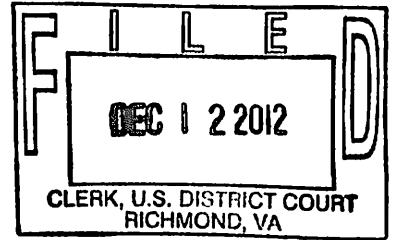


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



LINDA BRUBAKER,

Plaintiff,

v.

Civil Action No. 3:12cv423

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

ORDER

This matter is before the Court on the REPORT AND RECOMMENDATION of the Magistrate Judge entered on November 21, 2012 (Docket No. 10). Having reviewed the REPORT AND RECOMMENDATION, and there being no timely filed objections thereto, and the time for filing objections having expired, and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that the REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 10) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION.

It is further ORDERED that:

- (1) PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT FED. R. CIV. P. RULE 56 (Docket No. 7) is denied;
- (2) DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 9) is granted;

(3) The decision of the Commissioner is affirmed; and

(4) The Clerk shall close this action.

The Clerk is directed to send a copy of this Order to the Plaintiff and to counsel for the defendant.

It is so ORDERED.

/s/ *REP*
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: December 12, 2012